

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

KENKELL FRANCIS,
Plaintiff,
v.
PETER J. BARNES, JR., et al.,
Defendants.

Civil No. 07-5048 (RBK)

ORDER

ORDERED that Plaintiff is assessed a filing fee of \$350.00 and shall pay the entire filing fee pursuant to 28 U.S.C. § 1915(b)(1) and (2), regardless of the outcome of the litigation; and it is further

ORDERED that an initial partial filing fee shall be deducted and, until the \$350.00 filing fee is paid, in each succeeding month during which the amount in Plaintiff's account exceeds \$10.00, the agency having custody of him shall assess, deduct from his account, and forward to the Clerk of the Court payments equal to 20% of the preceding month's income credited to his account, pursuant to 28 U.S.C. § 1915(b)(2), and each payment shall be referenced to the civil docket number of this action; and it is further

ORDERED that Plaintiff's complaint in this action is dismissed without prejudice as premature; and it is finally

ORDERED that the Clerk shall close the Court's file for this action.

S/Robert B. Kugler

ROBERT B. KUGLER

United States District Judge